

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re Terrorist Attacks on September 11, 2001

03 MDL 1570 (GBD) (SN)  
ECF Case

This document relates to:

*Ashton, et al. v. al Qaeda Islamic Army, et al.*, 02-CV-6977 (GBD)(SN)

**NOTICE OF MOTION TO VACATE AND ENTER NEW FINAL ORDER OF  
SUMMARY JUDGMENT FOR SOLATIUM DAMAGES**

For the reasons set forth in the declaration of James P. Kreindler, attached hereto, the *Ashton* plaintiffs, by and through counsel, Kreindler & Kreindler LLP, respectfully move this Court to vacate its August 17, 2017 final judgment for solatium damages as to claimant Elisabeth Scott, and in its place, grant the proposed final order of summary judgment in the amount of \$8.5 million plus prejudgment interest in the amount of 4.96%, which is the total amount she should be awarded as the parent of September 11, 2001 decedent, Scott M. McGovern.

Dated: July 12, 2018  
New York, NY

/s/ James P. Kreindler  
James P Kreindler, Esq (7084)  
KREINDLER & KREINDLER LLP  
750 Third Ave, 32<sup>nd</sup> Fl  
New York, NY 10017  
(212) 973 – 8181  
Counsel for *Ashton* Plaintiffs